

FORM 26. Docketing Statement

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July 2020

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

DOCKETING STATEMENT

Case Number: 23-1580

Short Case Caption: Siemens Gamesa Renewable Energy A/S v. General Electric Company

Filing Party/Entity: Siemens Gamesa Renewable Energy A/S

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
U.S.D.C. Dist. of Mass.	1:21-cv-10216-WGY	Patent

Relief sought on appeal: ☐ None/Not Applicable

Cross-appellant Siemens Gamesa Renewable Energy A/S seeks review of the Court's amended final judgment entered in this action on February 3, 2023, in addition to the previous Final Judgment Including Permanent Injunction entered in this action on September 7, 2022.

Relief awarded below (if damages, specify): ☐ None/Not Applicable

The Court awarded a permanent injunction of the Haliade-X with the exception of two "carve out" projects, the Vineyard Wind I and Ocean Wind I offshore projects and granted a royalty rate of \$30,000 per megawatt and \$60,000 per megawatt, respectively, for those two projects.

Briefly describe the judgment/order appealed from:

Siemens Gamesa Renewable Energy A/S cross-appeals the Amended Final Judgment Including Permanent Injunction entered in this action on February 3, 2023, in addition to the previously cross-appealed Final Judgment Including Permanent Injunction entered in this action on September 7, 2022, and from any and all other orders, rulings, findings, and conclusions underlying and related to those orders, including but not limited to claim construction, pre-trial rulings, rulings at trial (both as part of the jury and bench trials), jury verdict, and post-trial rulings. The parties have filed Rule 50 and 59 motions, and the appeal should be stayed pending resolution of those motions pursuant to Fed. R. App. P. 4(a)(4)(B).

Nature of judgment (select one):

Date of judgment: 2/3/23

☒ Final Judgment, 28 USC § 1295

☐ Rule 54(b)

☐ Interlocutory Order (specify type) _____

☐ Other (explain) _____

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Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☐ None/Not Applicable

Siemens Gamesa Renewable Energy A/S v. General Electric Company, Case: 22-2184

Issues to be raised on appeal: ☐ None/Not Applicable

The district court's denial of Vineyard Wind LLC's motion to intervene.

Have there been discussions with other parties relating to settlement of this case?

☒ Yes ☐ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
☐ During the pendency of the case below
☒ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☒ Yes ☐ No

If they were mediated, by whom?

Hon. Layn Phillips (Ret.), Phillips ADR Enterprises

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

The parties do not believe assistance will be helpful at this time.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

None.

Date: 3/29/23 Signature: /s/ Leif R. Sigmond, Jr.

Name: Leif R. Sigmond, Jr.